

EXHIBIT 7



THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
STUDENT AFFAIRS
Office of Student Conduct

919-962-0805

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450 Ridge Road | Chapel Hill, NC 27599-5100
studentconduct.unc.edu

September 4, 2024

Hannah Balicki
Sent electronically to Hannah_Balicki@med.unc.edu

PERSOAL AID CONFIDENTIAL

Regarding Case Number: 2023110201

Dear Hannah,

This letter serves as official notification regarding the outcome of your HONOR SYSTEM - UHB DeNovo held on August 20, 2024. The following identifies the policy charge(s), finding(s), and applicable sanction(s). The appeal rights and deadline are listed below. If you do not submit a timely appeal, the finding(s) and sanction(s) as listed below become final.

You may use this [scheduling link to schedule](#) a post-hearing meeting with Jenni Spangenberg, Director of Student Conduct.

Charge(s) and Finding(s):

1. II.C.2.b. Violating policies regarding use and management of resources -- Dropped Charge
2. II.C.3.a. Abusing a position of trust -- Honor System - Guilty

In response to your involvement in this matter, the following sanction(s) have been assigned:

Disciplinary Probation

Disciplinary Probation effective through December 13, 2024 (Fall 2024). While on Disciplinary Probation, you may continue enrollment at the University (pending no other conditions impact that, such as program progression/academic requirements). A student cannot have their degree conferred while on probation; however disciplinary probation specifically allows any activity that is required for academic credit.

You are not allowed to officially represent the University for the duration of the disciplinary probation. This includes holding any office, holding an official leadership position, or participating in any activity in which represent the University or University - recognized student organization either within or outside the University community. Please review the non-exhaustive list and then contact Student Conduct if you have questions regarding your disciplinary probation, or are uncertain whether a particular activity would amount to "officially representing the University."

Disciplinary Probation is an official penalty of record which is entered as a notation on your transcript. The following comment will appear at the top of your transcript: "Disciplinary Probation for Fall 2024: Honor Code Violation." This comment will be removed from your transcript at the end of the probationary period and when all other sanction(s) imposed have been completed, if applicable.

Written Warning

In the form of an official reprimand that is formally communicated by a letter giving the student notice that any subsequent Honor Code violation will carry more serious sanctions.

Apology Letter

You were assigned to write an apology letter to the individual(s) impacted by this incident. An apology letter is not to be considered a 'quick fix.' It is more than simply saying, "I'm sorry." It is meant to be a sincere, reflective/thoughtful consideration of what happened and what should have happened. It is about taking responsibility for your actions, acknowledging how the other person was affected by your actions, and trying to repair the harm caused. An apology letter is often only one step in repairing harm. Your apology letter should include the following components:

- *Acknowledgment*
 - Name the wrongdoing or how you acknowledge the other person(s) were harmed.
 - What could have been done differently?
- *Purpose of apology*
 - Why do you want to express your apology?
- *Reparation*
 - What do you want the individual to know? What have you thought about since the incident?
 - What steps have you taken to repair the harm you caused?
- *Lessons Learned*
 - What lessons have you learned from this incident?

Things to remember when writing an apology letter:

- The person harmed most often wants to know 'why' this happened to them – especially if the other person is unknown to you. As much as you can help the other person understand the answer to this question, please do so. A word of caution: do not blame the other person for your or the organization's behavior.
- When you offer an apology, place no pressure on the receiver to accept it. The person harmed may not receive your apology, and they have the right to decline it or accept it. Also, the person harmed may not offer anything or any response in return (e.g., the other person may not forgive you). However, these are not good reasons for you not to offer an apology. Offering a genuine apology, regardless of the other person's response, is a sign of your own maturity, humility, and understanding.
- Ensure that your presentation is neat and legible. This letter should be typed, 12 point font, double-spaced with one-inch margins. Have someone else review your letter before submitting it. It will add more hurt to the person harmed if you submit an apology that appears carelessly written; it will appear that you don't mean what you are writing.

Student Conduct will not share an apology letter; you can choose if you would like to share directly with the impacted individual(s). You will submit the completed apology through this [Sanction Submission Form](#) no later than September 27.

Educational Assignment

You were assigned an educational assignment. Please see the specific instructions for your assignment here: Health Care Privacy Research & Reflection . You will submit this assignment in the [Sanction Submission Form](#) no later than September 27.

- 1) Research Health Care Privacy (HIPAA) and associated governing regulations.
- 2) Submit a summary and reflection from your research to include the following:
 - Summarize the expectations of Health Care practitioners related to HIPAA and governing regulations
 - What information did you learn from your research?
 - How can you remain in compliance and apply the information you learned?
 - Any additional reflections from your research

You have the flexibility to choose the format of your submission. This should include citations. Below are few examples that you may consider:

- a) Written
- b) Infographic, Canva or PowerPoint presentation
- c) Recorded Video Response

Academic integrity is at the heart of Carolina and we all are responsible for upholding the ideals of honor and integrity. The Honor Code and Student Code of Conduct apply to this submitted sanction. Any forms of academic dishonesty (outlined in The Instrument of Student Judicial Governance or Student Conduct of Conduct) may be referred.

APPEAL INFORMATION

During the post hearing meeting, we will review the outcome of your hearing, your appeal rights under the *Instrument*, the possible grounds for appeal, and the process for submitting an appeal petition. Based on your hearing type, you are eligible to appeal based on the grounds of violation of basic rights, severity of sanctions, and insufficiency of evidence.

Additional information relating to appeals can be found in Appendix C, Section I of the *Instrument* which can be found on our website at <http://studentconduct.unc.edu>. Should you choose to do so, **you have up to five (5) business days from the date of this letter, which is September 11, 2024, and must be received before 5:00 pm (ET).** Please submit the appeal petition by filling out the appeal petition form. The sanctions listed above become final if you choose not to appeal.

RESOURCES

Student Conduct fosters a culture of compassion and care for all students and offer support throughout the process. Students can find mental health resources all in one place at the [Heels Care Network](#) website; you can directly access campus resources at [Student Wellness](#), [Dean of Students](#), or [Counseling and Psychological Services](#).

FERPA & EDUCATIONAL RIGHTS

Consistent with the Family Educational Rights and Privacy Act of 1974 and in accordance with general University policy, your disciplinary record will not be shown directly to any person not involved in the University's disciplinary procedures. It may be interpreted, however, to administrative officers and faculty at this University who have legitimate educational interests. It will also be interpreted to officials of other schools who inquire in relation to your application for admission or financial aid in accordance with the provisions of that Act. In a manner that precludes disclosure of personally identifying information, this record may also be interpreted to representatives of the Federal Government for purposes of audit and evaluation of federally supported educational programs or the enforcement of federal legal requirements relating to such programs.

A notice of this final outcome may be sent to a number of University offices for administrative purposes. Offices

who may receive such notice include, but are not limited to, your academic dean, the University Cashier, Carolina Housing, and/or the University Registrar.

This violation will remain a part of your official disciplinary record for a period of ten (10) years. This file may then be destroyed. Your official disciplinary record is maintained in Student Conduct.

Please contact Student Conduct with questions or comments: jpa@unc.edu or 919-962-0805.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Jenni Spangenberg', with a large, stylized initial 'J' and 'S'.

Jenni Spangenberg
Director of Student Conduct

RATIONALE FOR THE UNIVERSITY HEARINGS BOARD de novo
Original Jurisdiction Hearing

2023110201

Date: Tuesday, August 20, 2024 (judgement) and (sanction decision)
Hearing Time: 6:00 pm
Court Members: Catherine Ayers, Chair
Evan Bellamy, Honor Court Member
Amy Zhang, Honor Court Member
Gina Donato, Faculty
Charles Poole, Faculty
Investigator: Jack LaFave
Defense Counsel: Vignesh Sriram
Name of Accused: Hannah Balicki
PID: 730079274
Charges: II.C.3.a. Knowingly abusing a position of trust or responsibility within the University community.

Plea: Not Guilty

Procedural Issues

The hearing took place over zoom. A University Hearings Board De Novo hearing was held in accordance with the *Instrument*.

Hannah Balicki acknowledged the rights provided in the *Instrument of Student Governance* and testified that no rights had been violated up to the time of the hearing. The Notice to Appear and preliminary conference form were both present and signed.

Case Summary of the Facts

On July 6, 2023 Ms. Balicki received a text from a student also in the UNC School of Medicine's PA program alerting her to the fact that one of their program's faculty members had arrived at the Women's Health Clinic. Ms. Balicki was at another facility fulfilling requirements for a Family Medicine Clinic rotation at the time and was already logged into EPIC, a medical record keeping system, as part of her current rotation. Ms. Balicki was charged with misuse of her access to patient records when she clicked into the patient list for the Women's Health Clinic to verify the presence of the faculty member at the other health clinic. The faculty member/patient reported to the PA Program Director, Katie Hanlon, that the timing of seeing a student in the PA program and receiving well-wishing texts from other students was suspicious and alerted that a violation of her HIPPA rights may have occurred.

Judgement: Guilty (vote: 5:0)

Judgement Rationale

Under the *Instrument*, the Court must use the clear and convincing standard to make a determination that a violation occurred. The Court reviewed the evidence presented by the involved parties and determined this burden of proof was met.

The Court began by breaking down the charge into the following parts:

Knowingly

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1. Student signed “Student Handbook, Policies & Procedures Acknowledgement & Compliance” that references privacy, confidentiality, and intellectual property resources.
2. Student is required to take annual HIPPA training as part of her participation with UNC Health. She is responsible for knowing the policies governing the program she is working within.
3. Student acknowledged in her statement that she knew she had made a mistake and quickly clicked out of the patient list.

Abusing a Position of Trust or Responsibility

Students in the PA program are given access to EPIC as part of their clinical rotations responsibilities. Ms. Balicki had access to the patient information for the Women’s Health Clinic medical records because she had previously been on that rotation. The rotation she was completing at the time of this incident was with the Family Medicine Clinic, a different rotation at a different location. An audit of the electronic record completed by the UNC Health Privacy Office confirmed that Ms. Balicki access the patient list for 5 minutes on July 6, 2023 just before sending a text with well-wishes to the patient. The Electronic Patient Information Access and Auditing of Access policy states that information should only be accessed with a “Business Need to Know” purpose. Ms. Balicki was trusted with access to medical information as a function of her position as a student in the PA program with clinical rotation responsibilities at a variety of clinics. With the access she was entrusted, she opened private medical information for a patient by confirming they were on a patient list at a site apart from where she was working at the time, and with no Business Need To Know purpose. Accessing this information was motivated by a personal desire to extend well-wishes. As kind as the intent behind the action was, opening the patient list for a clinic that she was not currently working with was an abuse of the access she was entrusted to protect and a violation of the patient’s right to privacy.

Within the University Community

The UNC School of medicine collaborates with outside entities to provide its students with work experience to better prepare them for their career beyond the program. As a student of the Physician’s Assistant program, Ms. Balicki was working as a representative of the university with UNC Health, under the supervision of the UNC School of Medicine faculty and staff. She is bound by the policies of both UNC-Chapel Hill and UNC Health. As a student of UNC, she is part of the University Community wherever she is learning and working. As such, her actions directly reflect on the University and its programs, including the Physician’s Assistant program. As a student and representative of UNC Chapel Hill, she is part of the university community.

Sanction:

The *Instrument* states: “In keeping with the University’s central mission, students who have violated the Honor Code should learn to take responsibility and learn from their mistakes. Student educational development should therefore play a central role in the development and imposition of sanctions pursuant to this *Instrument*. The imposition of sanctions should concern the shared interest of students, faculty, staff, and the greater University in academic integrity, maintenance of a safe and respectful environment conducive to learning, the protection of the University community, and protection of other University interests.”

As a result of being found guilty for each charge, the following sanctions are hereby imposed:

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- 1) Definite probation for Fall 2024, concluding on December 13, 2024 contingent on the completion of the following sanctions:
- 2) Written Letter of Warning
 - 3) Educational Assignment related to Healthcare of Privacy Practices
 - 4) Written Letter of Apology to the effected patient

Sanction Rationale

The *Instrument* provides that the “usual” sanctions is to be applied in all cases unless relevant factors provide a compelling basis for imposition of a lesser or greater sanction in order to do justice in a particular case.

The *Instrument* indicates the following to be the relevant factors that may serve as compelling circumstances:

- 1) The gravity of the offense, including its implications for other members of the campus community and any relevant recurring patterns of misconduct
- 2) The value of learning through experience so as to develop a greater sense of responsibility for one’s actions and their consequences to others
- 3) The importance of equitable treatment for similar offenses
- 4) Other compelling circumstances, so as to reach a just and appropriate resolution in each case.

Gravity of the Offense

When considering the gravity of the offense, the Court considered the harm, or potential harm, both to the patient and to the UNCSOM Physician’s Assistance Program that could result from Ms. Balicki’s action.

The Court found that the patient, a member of the UNC School of Medicine faculty, initiated the chain of events that led to finding Ms. Balicki in violation of privacy and confidentiality policies relevant. Had this faculty member, fully informed and aware of the policies, not been concerned or bothered by receiving well-wishing texts so soon after arriving at the Women’s Health Clinic, she would not have brought it to the attention of the PA Program Director, Katie Hanlon, that led to an investigation by the UNC Health Privacy Office.

The patient opted not to give a statement or appear as a witness, so the degree of harm to the patient is not known, however, the patient felt her privacy was violated enough to question the timing between seeing a student in the PA program and receiving a text message from another student originating from another clinical site.

The UNC School of Medicine collaborates with clinical sites as a measure to educate their students and provide experience that will help students learn and grow in the field of medicine while under the supervision of Faculty and Staff. Clinics, like UNC Health, may reconsider their willingness to collaborate with the UNC School of Medicine if they found students did not take privacy and confidentiality policies seriously, or if it was found that UNCSOM did not hold students who violate these policies accountable. The action taken by Ms. Balicki had the potential to damage a professional relationship between UNC and UNC Health and cause harm to future students who would be seen as liabilities to the system.

Value of Learning

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This Court heard Ms. Balicki's statements as a witness and in closing. We understand that Ms. Balicki regrets her choices on that day and spent the past year reflecting on the experience to learn and grow as an individual and professional.

During UNC Health's investigation they found that "...Ms. Balicki does not understand or have appreciation for the boundaries she needs to have as a healthcare professional." (Defense Fact Finding Evidence, D_F2). As a result, the deemed the action a Level III violation on the Privacy Matrix and submitted sanction recommendations to the UNCSOM for Ms. Balicki. One recommendation was "Termination of employment and ineligible for rehire." (Defense Fact Finding Evidence, D_F2).

Katie Hanlon, Program Director for the UNC School of Medicine PA Program expressed a concern that Ms. Balicki was not taking accountability for her actions and was continuing to state that she had caused no harm. This led to the UNCSOM Committee formed to review the case to believe they could not remediate the behavior and chose to accept UNC Health Privacy Office's recommendation to dismiss after discussing all levels of options.

During the hearing on Tuesday, August 20, 2024, Ms. Balicki recognized her error and expressed remorse. The Court noted that she continued to qualify her remorse with "...but I did not go into her chart." and her defense continued to argue that no harm had been done. The Court recognizes that Ms. Balicki has used this as a learning and growing opportunity but continues to fail to accept that her actions were harmful and the degree that she violated the patient's privacy was enough to warrant the sanctions she received and didn't need to be any more than what it was.

Importance of Equitable Treatment

The Court considered the recommendations made by the UNC Health Privacy Office that are inline with their sanctions used for staff who commit similar violations. The Court considers the recommendation made by the UNCSOM Faculty Committee and their choice to dismiss Ms. Balicki from the program. The Court considered the recommendations of Defense Counsel for a written letter of warning and educational training, along with Investigative Counsel's recommendation of probation, a written letter of warning, and a written letter of apology into consideration. The Court also referred to the *Instrument's* guidance on Conduct Sanctions, including:

III.B.2.c. Behavior Management. Completion of projects, programs, or requirements designed to help the student manage behavior and understand why it was inappropriate."

As well as III.B.2.g. Other Requirements. Where applicable, taking necessary steps to inform affected parties, correct misrepresentations, or otherwise remedy the effects of misconduct.

Other Compelling Circumstances

The Court considered that the UNCSOM had already handed down a sanction of dismissal, removing Ms. Balicki from the PA Program and from the University Community. We understand that the sanction will appear on Ms. Balicki's transcript while in place, and will be removed when the sanctions are completed, but remain on her disciplinary record for a period of 10 years. We also heard Ms. Balicki express the effect the stress of this ongoing process has been on her for the past year and recognize that she would like this experience to be in her past so that she can move forward. For these reasons, we have chosen sanctions with an end date, contingent on Ms. Balicki's completion of tasks.

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In consideration of the sanctioning factors and university policy violation, the Court determined the aforementioned sanctions to be fair and equitable.

Respectfully Submitted,

Catherine Ayers
Chair, University Hearings Board

MENTAL HEALTH RESOURCES



If you or someone you know is having a mental health crisis, please call 9-1-1, the [National Suicide Prevention Lifeline](#), at 988, or text HOME to the [Crisis Text Line](#) at 741741 for immediate assistance.

SLEEP & REST

As much as you're able, get 7-8 hours of sleep a night. Proper sleep is essential for physical and mental efficiency. Take study breaks to process and absorb information. Resting your brain and body is important for retaining information and peak performance.

EXERCISE & MEDITATE

Movement nurtures our mind and body and allows them to function properly. Campus Rec offers virtual and in-person group fitness classes and intramural sports. Student Wellness has resources to start practicing meditation and mindful movement.



SELF-COMPASSION

Give yourself grace and compassion when you make mistakes and when things are tough. You are worthy of kindness and understanding too. Practicing self-compassion is essential for your mental and physical health. Self-compassion meditations are a great way to start.



TALK TO SOMEONE

Sometimes speaking to a professional can help you manage stress, anxiety, and other mental health concerns. Both [Student Wellness](#) and [Counseling & Psychological Services](#) (919-966-3658) offer confidential and free sessions with professional staff.

EAT A BALANCED DIET

Stress and anxiety can lead to overeating or under-eating. No matter what you're eating or not eating, make sure to balance it out with fruits, veggies, and healthy fats for your body and mind to function properly. Campus Health offers nutrition counseling for additional support.

CONNECT

Healthy social connections help our mental and physical well-being. Make time for fun with family and friends. Spend time outdoors exploring campus with a friend or roommate, join a student organization, or attend an event on campus. You may just meet a new friend while you're out.



ADDITIONAL UNC RESOURCES

- [Accessibility Resources & Service](#)
- [American Indian Center](#)
- [Asian American Center](#)
- [Campus Y](#)
- [Carolina Latinx Center](#)
- [Carolina Veteran's Resource Center](#)
- [Carolina Women's Center](#)
- [Dean of Students](#)
- [Equal Opportunity & Compliance](#)
- [Health Heels Network](#)
- [International Student & Scholar Services](#)
- [LGBTQ Center](#)
- [Multicultural Health Program](#)
- [Office of Scholarships & Student Aid](#)
- [Study Abroad](#)
- [Undocu Carolina](#)
- [University Career Services](#)
- [University Office for Diversity & Inclusion](#)
- [University Ombud](#)